IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

LA.App..No. 718 of 2006()

LAR.99/2000 of PRINCIPAL SUB COURT,ATTINGAL
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APPELLANT: IST RESPONDENT

STATE OF KERALA.

BY GOVERNMENT PLEADER SHRI BASANT BALAJI

RESPONDENTS: CLAIMANT & 2ND RESPONDENT
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1. SHAHUBANA BEEVI, CHARUVILA HOUSE, EDAVA VILLAGE AND DESOM.

2. THE DEPUTY CHIEF ENGINEER, CONSTRUCTION SOUTHERN RAILWAY, THIRUVANANTHAPURAM

BY ADV. SRI.M.C.CHERIAN,SR.SC.,RAILWAYS

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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L.A.A. NO. 718 OF 2006

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Dated this the 5th day of November, 2007

J U D G M E N T

State has filed this appeal challenging the decree and judgment passed by the Sub Court, Attingal in L.A.R. No.99 of 2000 awarding enhanced compensation. Land belonging to the first respondent-claimant was acquired for a public purpose. He claimed land value at the rate of Rs.50,000/- per cent. Court below relying on Exhibit A1 judgment rendered by that court itself in L.A.R. No.103 of 2000 fixed the land value at the rate of Rs.25,000/- per cent. It is seen that the State had not filed any appeal challenging the decree and judgment passed in L.A.R. No.103 of 2000 and the decision has become final. Further, the compensation awarded is also reasonable. I do not find any reason to interfere with the impugned decree and judgment. The appeal is without any merit and the same is only to be dismissed.

In the result, appeal is dismissed.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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L.A.A. NO. 718 OF 2006

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J U D G M E N T

5TH NOVEMBER, 2007